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Attorneys for Defendant
GOOGLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. 3:10-cv-03561-WHA

Honorable Judge William H. Alsup

**[PROPOSED] ORDER DENYING
ORACLE'S MOTION TO DISMISS
DEFENDANT'S INVALIDITY
COUNTERCLAIMS AND STRIKE
CERTAIN AFFIRMATIVE DEFENSES
AND IMPERTINENT MATTER**

Date: December 2, 2010

Time: 8:00 a.m.

Dept.: Courtroom 9, 19th Floor

1 Oracle America, Inc.'s Motion To Dismiss Defendant's Invalidity Counterclaims And
2 Strike Certain Affirmative Defenses And Impertinent Matter came for a hearing on December 2,
3 2010. The Court, having considered the papers filed in support of and in opposition to the
4 motion, the arguments presented at the hearing, and other matters relevant to the determination
5 of Oracle America's motion, hereby DENIES the motion.

6 IT IS THEREFORE ORDERED that Plaintiff Oracle America Inc.'s Motion To Dismiss
7 Defendant's Invalidity Counterclaims And Strike Certain Affirmative Defenses And Impertinent
8 Matter is DENIED.

9
10
11 Dated: _____, 2010

William H. Alsup
United States District Judge